

Speaker's Statement and Ruling

Mr. SPEAKER.—Before we take up other work, I am constrained to refer to certain aspects of matters which constantly arise before the House and there appears to be a little lack of appreciation as to what should and what should not be done. I am referring to a certain instance said to have happened. There seems to have been some objection to certain members catching Speaker's eyes and some members not catching the Speaker's eyes though getting up four times; if certain remarks are made and the Chair rules that the remarks are to be withdrawn members refusing to do that; or calling of the Marshall and bodily removal of certain members becoming necessary—about all this, I earnestly appeal to all the members to give to the Chair fullest co-operation because the dignity of the House, and the status of the House are very very important. To maintain the dignity and status of the House is not the concern of the Speaker alone. In fact it is not only the concern of the Speaker but also of all the members collectively. I am mentioning this because we are watched; we are in public gaze; every paper reports what happens here. It is also witnessed and watched by so many visitors; distinguished visitors of our own State, and also distinguished visitors coming from outside and from abroad. It is in that light I am submitting to the members and I appeal to every one of them, whether they belong to the treasury benches or to the opposition side, to kindly have the highest possible decorum. At times feelings rise and emotions rise and we go on uttering words. I have been myself a victim of it. Still it is necessary for us to have patience and cultivate patience. With these observations I would like to clarify the position as to what exactly is the procedure that governs every member of the House. I would only say that these may be kept in mind for the future. Before I do that I would also refer to certain facts. The budget has been discussed and discussed in elaborate detail by as many members as

possible. Of course, I am sorry that everybody did not get a chance and everybody did not get as much time as he required. Their contributions to the debate would have been very very useful. But after all the controlling factor is the time—limit. We cannot possibly go on speaking. So, if there is any dissatisfaction, the members will kindly pardon me.

With regard to general discussion, 55 members excluding ministers, have participated. The total time taken is 17 hours and 41 minutes; so the average time taken by each member is 21 minutes. On Voting on Demands excluding ministers 168 members have spoken. Out of 208 members excluding the Speaker, ministers and Deputy Ministers, 168 members have spoken. I think it is a good figure. The total time taken is 51 hours and 40 minutes. I do not think we could have done more than that. I have taken the sense of the House and I had also the benefit and guidance of several members. The average time taken by each member would be 18 minutes.

With these observations let me clarify the position. On Saturday the 28th July 1962, the Hon'ble member Sri C. J. Muckannappa attempted to speak on the Appropriation Bill. He got up six or seven times but did not catch the Speaker's eye. He seems to feel that a member automatically gets a right to speak by getting up and he appeared to resent being overlooked in spite of getting up 6 or 7 times. He even criticised the Chair by saying that the Chair acted according to its whims and fancies. When he was asked to withdraw, he stated that in the absence of a sergeant-at-Arms or Marshall, the Speaker has no means of enforcing the order. Later he withdrew his remarks and apologised to the Chair and that is good. Some time later he also objected to the Secretary going to the seats of members and talking to them. I have studied the proceedings of the Lok Sabha relating to this subject. It is perhaps desirable that I should make a statement on this. It is more by co-operation that we can carry on the business here than by any rules or guidance from the

Chair. It is only to see that the debates are not disturbed, and do not go on in an improper manner that the Chair has to function. Standing up to catch the Speaker's eye does not give an Hon'ble member the right to speak. I think everybody will agree with that. But still I would mention that this aspect does not arise in this House alone. It is the painful duty or work of the Speaker which is very embarrassing and which he has to do with a certain amount of unwillingness. I am referring to the parliamentary debate dated 7th December 1950.

“Sardar B. S. MAN (Punjab).—Sir, on a point of information. Hitherto we were following a practice of rising in our seats and trying to catch your eye. I am not complaining, but I may be ignorant, and so I want to know whether there has been a departure from this practice, and whether now we have to catch the favour of the Chief Whip and have our names on the lucky paper?”

Mr. SPEAKER.—I have made it quite clear again and again that no one need place himself at the mercy of anybody, except perhaps at the mercy of the Speaker. The old procedure stands and whatever names may be before me, I am not bound to follow these names. I am not following the names in the order I have got them. But, I am calling persons on certain principles. I think, though sometimes it is difficult to settle what those principles are.”

I am not following the names sent to me because I discovered a certain amount of dissatisfaction from the members who are sending the names on behalf of their respective parties, be they recognised or not recognised. I would only appeal to them saying “please don't think that it will be in any way un-reasonable.” To the extent I can help I shall certainly do. Therefore under no circumstance any member should feel very unhappy or that his rights have been overlooked.

“Sri KAMATH.—Sir, when the House has expressed its unanimous

desire to have the debate for the whole day today, may I now request you and the Hon. Prime Minister to come to some arrangement whereby we can be accommodated.”

There are many more instances like this. Again on 27th February 1951 on the Railway budget a reference to the following effect is made:

“Sri KAMAT (Madhya Pradesh).—Before the general discussion starts I would make one request to you. That is, I would request you not to confine yourself exclusively to the list of speakers on this subject which I presume—subject to correction—has been handed over to you by the Chief Whip a little while ago, but to cast your eyes all around the House and let the member catch your eye as usual.

Mr. SPEAKER.—I have made it clear more than once that so many names come *suo motu* to me from members and so many lists come, and even complaints that perhaps prevents me from seeing members; but I do not go by any particular list. I am entitled to have my own choice and generally I am doing according to my choice.”

The other reference is to the general discussion on the Budget dated 7th April 1951.

“Sri ABDUL SATTAR (West Bengal).—Sir, I have been trying to catch your eye. But there is nowadays no chance of catching your eye because the business of supplying names to the Chair is going on. I have been attempting repeatedly to catch your eye but unfortunately, I have not succeeded. I have to say a few words with respect to West Bengal.

“Mr. DEPUTY SPEAKER.—There are three hundred and odd hon. Members in the House. For want of time all Members cannot take part in the discussion. It is true that hon. Members had to

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wait in this House for five years and six years. They were not able to catch the eye of the Speaker. There is no use protesting against this and saying that because he is new he should be given an opportunity. The debate is arranged in such a way that a proper discussion may take place, that there is a proper level of debate, and various other things. Therefore no hon. Member can claim to speak as a right. He has

to try to catch the eye of the Speaker and wait for his opportunity. Simultaneously all members cannot be asked to speak."

A particular Member was asked and matters went on.

With regard to the position of the Hon. Member Sri Muckannappa, I will just tell the House what time he has taken, and whether it would be proper for him to have a grievance. Sri Muckannappa has participated in discussion on—

General Discussion	...	25 minutes on	3-7-1962
Demands Nos. 11, 12 and 13	...	55 minutes on	10-7-1962
do 38, 5, 1 and 51	...	20 minutes on	13-7-1962
do 20 and 22	...	24 minutes on	21-7-1962
do 48, 49, 29, 30, 45, 46, 43, 47, 32 and 50	...	20 minutes on	23-7-1962
do 25, 2, 42 and 33	...	13 minutes on	25-7-1962
do all other demands	...	11 minutes on	27-7-1962
Appropriation Bill	...	10 minutes on	28-7-1962

Does the Hon'ble Member doubt it?

Sri C. J. MUCKANNAPPA (Sira).—Yes, Sir.

Mr. SPEAKER.—Then let him kindly give me his list.

Sri C. J. MUCKANNAPPA.—If you will give me only one minute I shall explain. I took only six minutes. The bell was rung and I had to sit down. I never grumbled that the Chair did not give me any chance. I tried my best to catch the eye of the Chair and I failed. I never made a statement that the Chair did not give me a chance. I did not do that at all. Because, there was a matter to be presented, I tried my best six times. It is not to bring down the decorum of the Chair or to insult the exalted Chair. That is all what I wanted to say. I was very much pained to see so many decisions and so many discussions in the other Houses being quoted. It was not at all my intention to insult the Chair. I tried about more than half-a-dozen times and I miserably failed in catching the eye. That was all. I never said that

no chance was given. I was not able to catch the Speaker's eye.

Mr. SPEAKER.—I am glad that the Hon. Member Sri Muckannappa has made his position very clear and he says and he wants the House to believe. When I read through the proceedings of that day, I was pained. You should know that the Speaker's eye is a bit blind, and I am sometimes deliberately blind, not with any malice, but with a view to accommodate as many as members possible in the debate.

Sri R. M. PATIL (Minister for Home).—Is it not defined?

Mr. SPEAKER.—Speaker's eye? No. What I appeal to the House is, let there be no wrangle. I find that on the other day twenty minutes were spent without any purpose. Again the previous day also, I find certain procedural—I won't call it wrangle—discussion that took about forty minutes and the House rose without passing the Demand. I do want the House to co-operate with me. Let us put every minute to the best use. I am trying my best not to waste even a single minute of the House. I am not coming even one minute late,

because it is not right. May be, a minute here and there may have been lost, because of there being no quorum. I throw up all work and give top priority to the work of the House. I think that is the right approach. I request every member to adopt it. I do not think I should say more on the subject. Everybody has by this time understood what a difficult task the Speaker has to do. I am here to help and guide. I will therefore try to maximise the utility of time. The object of vesting discretion with the Speaker is to see that the time available is evenly distributed among the various parties and sections in the House and among the several Hon'ble Members. So far as Sri Muckannappa is concerned, it can be seen that he has spoken on so many occasions. It is however seen that he was permitted to speak on the Appropriation Bill. If I had been in the Chair, he would never have got the chance. He would not have had the opportunity to speak on the Appropriation Bill.

It also appears that when he was asked to withdraw certain words made against the Chair, he did not withdraw, and stated that in the absence of the Sergeant-at-arms the Speaker had no means of enforcing the order. Is physical force with a Marshal with strength enough to fight absolutely necessary? We are all cultured and high-placed. Use of physical force on the floor of the House ought to be avoided though it is permitted. Therefore, the absence of a Marshal should not have figured. I have got the power and I can create him. I can ask any of my staff to discharge my duties. Therefore, please let us not go in that direction. So, we will not open such a topic until it becomes essential.

One more point with regard to the Secretary moving about. The Secretary has to go about to consult the Members and at times I ask him to go about with regard to the work pertaining to the business before the House. If I do not do it, the work of the House will be held up. I can simply wait and allow somebody to say something and that time will be spent. You could have

seen during the question hour, I would be watching if the person who had put the next question was there. If he is not there, I cannot recall the question and it creates embarrassment. Sometimes I find two members absent and I utilise that opportunity. If I have to consult any of the Ministers on the business of the day, I have to ask the Secretary to get it clarified. If he does not do it, more time will be spent. In every Legislature, the Secretary moves about. There is nothing peculiar in this. We cannot have rules for everything unless it is absolutely necessary. I can create new precedents, but are these necessary to carry on the day to day business of the House? I cannot get down and go to the Minister. I may have to know the work of tomorrow or the next hour which ought to be done. And if the Secretary goes about the House in the house, I do not think it deserves any expression of dissatisfaction or question his right. I hope the Hon'ble Members will kindly bear these in mind and help me by not violating any of these.

Sri M. R. PATIL (Hubli).—If I rightly followed the observances made by the Chair, it appears that the Chair's ruling was to the effect that the Chair was not bound to follow the list supplied by the Party Whip...

Mr. SPEAKER.—Absolutely.

Sri M. R. PATIL.—While agreeing, I would like to be enlightened what are all the privileges of the Party Whip so far as the supply of the speakers' list is concerned. Another thing is whether it would not be to some extent dampening the initiative of the Party Whip if it were to be frequently interfered with. And with due respect to the Chair, I want to know whether there was not some understanding on the question of the list and priority between the Party Whip and the Chair so that it may not be frequently interfered with. I respectfully submit this for kind clarification.

Mr. SPEAKER.—I am glad the Hon'ble member has raised it. He has put it very nicely and he has put it in the most respectful terms for which I am grateful to him. It is the question

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of the individual discretion of the Speaker. It cannot be delegated to anybody. If I were to do that I would be failing in my duty and doing something very, very wrong which I am not expected to do. The list is only just a pointer to the Speaker that a particular member wants to speak and nothing more than that. Otherwise, what is the use of saying catching the eye of the Speaker. The list is given only with a view to facilitate catching the eye of the Speaker. It is only as a sort of guidance to the Speaker. If the Hon'ble Member would refer to its origin, he would find that this practice of sending slips was not there at all. Only recently it has come in and it has also been justified to the extent of saying that it is only to facilitate the exercise of his discretion by the Speaker and no more. The member spoke about interference with the list. How does the question of interference with the list arise at all? What is the right of the whip to say that this should be the order? It would be dictation to the Speaker. The Speaker is not bound to go by the list. If he finds that it is not all right he has a right to give it up. In fact, sometimes I find the certain names are repeated and that some members' names are not at all found in the list and that was, in fact, mentioned to me by one of the members. I have to consider that aspect also. I may be wrong and I may have erred, but to err is human. I may be the frailest of creatures, but I am not doing anything which I know to be wrong. I am trying to do everything in the best interests of the House.

SRI ANNA RAO GANAMUKHI (Afzalpur).—May I submit in this connection that sometimes members who are sitting in their seats are also called upon to speak.

MR. SPEAKER.—I call upon all Hon'ble members when they are sitting and not when they are standing.

SRI ANNA RAO GANAMUKHI.—According to rule 286, it is incumbent upon the Speaker that "when a member rises to speak, his name

shall be called by the Speaker; if more members than one rise at the same time, the member whose name is so called shall be entitled to speak." So only those members who rise can catch the eye of the Speaker. A member who is sitting cannot catch the eye of the Speaker and he is also not expected to catch the eye of the Speaker. The Speaker also should not see them. But I have seen, sometimes not always, a member who is sitting is able to catch the eye of the Speaker and is called upon to speak in preference to members who rise in their seats and try to catch the eye of the Speaker. I submit that in future only those who rise in their seats—their names may have been included in the list and they may know that their names will be called upon—should catch the eye of the Speaker and be called upon to speak so that every one who desires to catch the eye of the Speaker must stand in his seat.

SRI V. S. PATIL (Belgaum).—When the question of catching the eye of the Speaker comes up, we do stand up, but when once we stand up and try to catch the eye of the Speaker and show our desire to speak, the Speaker is expected to remember our names and on every occasion it is not necessary for us to stand up and sit down and do an exercise every time when we want to catch the eye of the Speaker. The Speaker is entitled to call upon such members to speak even though they may be sitting.

MR. SPEAKER.—The Hon'ble member Sri Anna Rao with all his rich experience as a parliamentarian in this House and also other Houses has enlightened the House very much for which I am grateful to him, but he will bear in mind the realities. What is the point in catching the eye of the Speaker? That is, so that the Speaker may know that the member is desirous of speaking and that is precisely what the list given by the Party Whip also shows. He ascertains the wish of the member and then passes on the list. I do not think the Whip is going to write names or guess members who are desirous of speaking without those members approaching him for the purpose. So if they are catching the

eye of the Speaker that way, there is absolutely nothing wrong and it only facilitates the Speaker. It is also embarrassing particularly for some of the new members who are a bit shy and who do not get up to get a chance. The Hon'ble member Sri Anna Rao is so much experienced that he does not care even if he is asked to sit down half a dozen times and he does not feel unhappy about that. I leave it at that.

ಶ್ರೀ ಎಸ್. ಭೀಮಣ್ಣ (ಭಾಲ್ಕಿ).—ಈ ವಿಷಯದಲ್ಲಿ ನಾನು ಒಂದು ಮಾತು ಹೇಳಬೇಕಾಗಿದೆ, ಏನಂತಿ ಮಾಡಿಕೊಳ್ಳಬೇಕಾಗಿದೆ. ಹೊಸದಾಗಿ ಬಂದಿರುವ ಸದಸ್ಯರನ್ನಾರೊಬ್ಬರೂ ಅವರಿಗೆ ಹೆಚ್ಚು ವೇಳೆ ಕೊಟ್ಟಲ್ಲ. ಹಳೆಯ ಸದಸ್ಯರೇ ಹೆಚ್ಚು ಮಾತನಾಡಿ ದ್ದಾರೆ. ಆದುದರಿಂದ ಯಾರು ಹೊಸ ಸದಸ್ಯರೊಬ್ಬರೂ ಅವರಿಗೆ ಅವಕಾಶ ಕೊಡಬೇಕೆಂದು ಪ್ರಾರ್ಥಿಸುತ್ತೇನೆ.

Mr. SPEAKER.—The Hon'ble member Sri Anna Rao stands answered by this member.

Sri C. J. MUCKANNAPPA.—Sir, rule 324 refers to the duties of the Secretary. I only wanted to know whether the Secretary can go about in the Assembly when the Assembly is in session. When we are discussing a particular subject matter in the context of that rule 324 (e) which says that it shall be the duty of the Secretary "to assist, at all times, the Assembly and all committees, in all work connected with their duty." Does it mean that the Secretary can go to every member and have consultation? He can go to the Leader of the House or the Leader of the Opposition or the whip of any party or any Minister whose Bill or motion is under discussion in connection with that subject. I only wanted to know the duties and functions of the Secretary other than that and whether he can just move about in the Assembly Hall? That is why I raised that issue and not with any other intention.

Sri R. M. PATIL.—There should not be any misunderstanding between the Whip of the party and the Chair.

Mr. SPEAKER.—There is no misunderstanding. Why does he create it?

Sri R. M. PATIL.—If the Whip gives a list and finds that that list is not followed, naturally he feels for it. Therefore it is necessary that there should be good understanding and no

misunderstanding between the Chair and the Whip.

Sri V. M. DEO (Gubbi).—Am I right in understanding that the Speaker's eye will have to discriminate—

Mr. SPEAKER.—Do you mean to say 'distinguish' or 'discriminate'?

Sri V. M. DEO.—It will have to discriminate in a manner that repetitions are obviated because members of the same party say the same thing on policy matters as they belong to one party. So the Speaker will have to discriminate in favour of those who can contribute something original to the debate and his eye should catch such members rather than catch those members who repeat the same thing over and over again.

2-30 P.M.

Mr. SPEAKER.—I am grateful to all the members for the various suggestions made by them and all of them will be borne in mind by me. But there are certain basic principles. A new member expecting some concession is possible to some extent but not to a very large extent. Simply because a member is new, I cannot possibly show him concession, frequently nor can I agree that parties be ignored. I can do so but it will not be proper on my part to do so. I may, however, say that I will always encourage members who make original contributions. The Hon. Member Sri Deo need not worry on that account.

Member's Representation.

Sri C. J. MUCKANNAPPA.—Sir, the Education Minister made a statement which is contrary to some circular or order and you, Sir, said that the Education Minister will clarify it.

Mr. SPEAKER.—The Education Minister will kindly deal with that point.

Sri C. J. MUCKANNAPPA.—Sir, I understand that the Memoss which was purchased by the Government of India dies three months back while Mr. Krishnappa, the Revenue Minister, has made a statement that it is still living.